

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

JON DANOS,

Plaintiff,

v.

FRONTIER PROFESSIONAL
BASEBALL, INC.,

Defendant.

Case No. 1:23-cv-00321-SM

**JOINT MOTION TO EXTEND DEADLINES
IN THE DISCOVERY PLAN AND CONTINUE TRIAL**

Pursuant to Fed. R. Civ. P. 6(b)(1)(A) and Local Rules 7.1 and 7.2, Plaintiff Jon Danos (“Plaintiff”) and Defendant Frontier Professional Baseball, Inc. (“Defendant,” and together with Plaintiff, the “Parties”), through their respective counsel, jointly move this Court to extend certain deadlines in this action, as well as the trial date.

In support of this Joint Motion, the Parties state as follows:

1. Under the current Discovery Plan,¹ the deadline to complete fact discovery is August 30, 2024.
2. The Parties are presently engaged in written discovery.
3. Defendant’s counsel changed law firms at the end of May. Defendant’s counsel unfortunately experienced considerable delay in getting case files transferred to her at her new

¹ The original Discovery Plan (Doc. 6) was amended on April 3 2024, by Order of the Court approving the Parties’ Joint Motion to Extend Deadlines in the Discovery Plan and Continue Trial (Doc. 8).

firm, including in particular documents that had been collected from Defendant, which needed to be reviewed and then produced in response to Plaintiff's document requests. Those documents were maintained at Defendant's counsel's former firm in electronic format, so it was not simply a matter of packing up and moving boxes. The electronic file transfer has recently been completed, which will enable discovery to proceed.

4. Defendant's counsel has kept Plaintiff's counsel fully apprised, and the Parties are jointly proposing the deadlines below which will enable them to complete the remaining tasks in the Discovery Plan.

5. Pursuant to Local Rule 7.2(a)(ii), the requested extensions to the remaining deadlines are listed below. The information below is also contained in the Civil Form 3 being filed herewith in accordance with Local Rule 7.2(a)(iii).

Scheduling Designation	Current Deadline	Proposed Deadline
Deadline for plaintiff's expert disclosure	6/7/2024	11/15/2024
Deadline for defendant's expert disclosure	7/19/2024	12/13/2024
Expert supplementation under Fed. R. Civ. P. 26(e)	8/9/2024	1/3/2025
Deadline to complete discovery	8/30/2024	1/17/2025
Deadline to file motions for summary judgment (120 days before trial)	10/4/2024	2/14/2025
Deadline to provide status re mediation	11/8/2024	3/21/2025
Deadline to file challenges to expert testimony (45 days before trial)	1/6/2025	5/2/2025
Final Pretrial Statements due	1/21/2025	5/14/2025
DNH LR 16.2(d) Objections due	2/3/2025	5/28/2025
Final Pretrial Conference	2/5/2025	6/3/2025
Two-week jury trial to begin	2/19/2025	6/17/2025

6. Pursuant to Local Rule 7.2(a)(i)-(ii), this Motion, if granted, will result in an extension of remaining discovery and other deadlines in the Discovery Plan as identified above.

7. This Motion, if granted, will result in the continuance of the trial in this case. Pursuant to Local Rule 7.2(c), undersigned counsel hereby certifies that their clients have been notified of the reasons for the requested continuance and have assented thereto.

8. In accordance with Local Rule 7.1(c), counsel for the Parties have conferred in good faith, have worked cooperatively together to agree on a new proposed schedule, and jointly request the relief sought in this Motion.

9. Pursuant to Local Rule 7.1(a)(2), the Parties believe that a supporting memorandum is unnecessary because the relief requested herein is discretionary.

WHEREFORE, Plaintiff Jon Danos and Defendant Frontier Professional Baseball, Inc., through their respective counsel, respectfully request that the Court:

- (A) Grant this Joint Motion and extend the remaining deadlines in the Discovery Plan, including the trial date, as set forth above and in the completed Civil Form 3 submitted herewith; and
- (B) Grant such other and further relief as the Court may deem just and equitable under the circumstances.

Dated: August 15, 2024

Respectfully submitted,

JON DANOS,

By his attorneys,

/s/ Jeremy T. Walker

Jeremy T. Walker (NH Bar No. 12170)

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**FRONTIER PROFESSIONAL BASEBALL,
INC.,**

By its attorneys,

/s/ Laura L. Carroll

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CERTIFICATE OF SERVICE

I hereby certify that I electronically served the foregoing Joint Motion and Civil Form 3 on all counsel of record via the Court's CM/ECF system, pursuant to Fed. R. Civ. P. 5(b)(2)(E).

Dated: August 15, 2024

/s/ Laura L. Carroll

Laura L. Carroll